



**DEPARTMENT OF CORRECTIONS  
YOUTH COMMUNITY CORRECTIONS BUREAU  
POLICY**

Policy No.: YCC 4.6.6	Subject: <b>FURLOUGH / RELEASE / DISCHARGE - YOUTH</b>
Chapter 4: FACILITY / PROGRAM SERVICES	Page 1 of 5
Section 7: Releases / Placement	Revision Date: 11-23-07, 02-17-10
Applicable ACA Standards: 2-7008, 2-7175, 2-7176, 2-7179	
Signature: /s/ Karen Duncan	Effective Date: 11-06-06
Signature: /s/ Steve Gibson	

**I. POLICY:**

It is the policy of the Youth Community Corrections (YCC) Bureau to establish procedures for the release and discharge of youth from correctional facilities and community programs, including emergency furloughs and home visits that address facility/program security, protection of the victim and public, and the welfare of the youth. This policy will be reviewed annually and updated as needed.

**II. APPLICABILITY:**

Pine Hills Youth Correctional Facility, Riverside Youth Correctional Facility, Youth Transition Centers, and all YCC programs.

**III. DEFINITIONS:**

**Discharge** - formal action requiring the signature of the Director and notification of the committing Youth Court Judge taken by the Department to relieve the state of any and all court ordered responsibility over a youth who has been formally committed to its custody or automatic action in the case of a youth whose commitment order has expired.

**Emergency Capacity** - any time a secure-care facility reaches a population that exceeds its capacity which has been established by the Department.

**Field Investigation** - an investigation conducted by a Juvenile Parole Officer or Transition Centers Director to determine the appropriateness of a placement for a youth.

**Hardship Case** – includes serious or terminal illness, imminent death, or death of a member of the youth's immediate family.

**Immediate Family** - includes parents, spouses, siblings, and children of the youth. An exception for grandparents or extended family may be granted if there is solid evidence the grandparent or extended family member was a significant person in the youth's life.

**Release (Parole)** - the correction status change of a youth moving from any Department mandated facility/contractor to a less restrictive placement at which time supervision is assumed by the Youth Community Corrections Bureau. It does not mean release from one correctional facility to reside in another correctional facility.

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**Serious Illness** - the patient is not expected to live.

#### **IV. PBUREAU DIRECTIVES:**

##### **A. Intake/Reception**

Secure youth correctional facilities shall project an anticipated release/discharge date for each youth. This shall include all new referrals as well as youth being returned to the youth correctional facility for violations of the conditions of a parole agreement. A Request for Field Investigation shall be submitted to the appropriate juvenile parole officer (JPO) within 30 days of reception to assist in the development of a treatment plan by the facility in cooperation with the JPO.

##### **B. Release/Furlough**

Release/furloughs from youth correctional facilities shall be categorized as one of the following:

1. "**Emergency Furlough**" is leave granted for emergency purposes such as death or illnesses in the family. The Facility Case Manager/contracted provider case manager, in consultation with the JPO, will recommend whether a youth may leave a youth correctional facility or contracted placement to attend funerals, make bedside visits to hospitalized immediate family members or persons who have had a significant impact upon the youth's life, or for other emergencies. In case of a disagreement, the Superintendent of the youth correctional facility and the YCC Bureau Chief will decide.
  - a. **Notification of Death or Serious Illness:** When notification of death or serious illness is received, the JPO and the facility/program staff shall attend to the following:
    - i. Confirm the death and funeral arrangements with the funeral director or confirm serious illness with the attending physician.
    - ii. Notify the youth of death or illness and solicit assistance of the facility/program religious coordinator, if appropriate and available.
    - iii. Determine that the family desires the youth's presence at the funeral/sick bed.
    - iv. Determine the youth's security level and risk to the community.
    - v. The JPO will contact the prosecuting County Attorney to identify victim and prosecutorial concerns, when appropriate.
    - vi. If victim notification has been requested when a youth is furloughed from a facility/program, the Victim Information Coordinator or person designated by the Superintendent/Program Manager, with the JPO, will arrange to notify the victim directly.

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- b. **Youth Request for Emergency Furlough:** Arrangements for funeral attendance or sick bed visits will be made or approved by facility/program staff and the JPO.
    - i. Transportation arrangements may be made by a facility/program escort, parent/family member, approved adult escort, and/or public transportation.
    - ii. The youth or family shall be responsible for all costs of the trip based on the ability to pay.
    - iii. If necessary, State funds may be used as a funding source upon approval by Superintendent or YCC Bureau Chief.
    - iv. The facility/program staff shall submit a Field Investigation form requesting an emergency furlough to the JPO. The Emergency Furlough request will be approved by the primary JPO prior to a youth's leaving a correctional facility.
    - v. If an overnight visit is necessary and if the youth poses a security risk, he or she may be housed in a regional juvenile detention facility. The facility/ program staff and the JPO will confirm these arrangements prior to departure.
    - vi. The JPO will notify local law enforcement in advance of the emergency furlough to inform them that the youth will be in the area, to identify security and community concerns, and to provide them with a tentative schedule of events and restrictions.
    - vii. The youth and correctional facility staff will complete a Furlough Agreement outlining rules and restrictions to be followed while on the furlough. A copy of this agreement will be forwarded to the JPO.
  - c. **High Profile Cases:** The Division Administrator, Director, and Department Public Information Officer will be consulted in the movement of a high profile youth whose case presents the potential for attracting publicity or attention should the youth be in the community.
  - d. Prior to departure, escort officers should review transportation policies and procedures, and during the transport will adhere to said policies and procedures.
- 2. **"Home Visit"** is a leave granted for a family visit for therapeutic purposes. Home visits shall not exceed seven days in duration without an extension approved by the JPO and the Transition Center/community program administrator or designee.
  - a. Only youth in Transition Centers and community placements will be granted home visits in accordance with established program policies.
  - b. Home visits will not be allowed for youth residing in correctional facilities.
  - c. The program staff shall be responsible for contacting the JPO for approval and scheduling.

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- d. The program staff and JPO will adhere to victim notification where applicable and specified by court order and will notify local law enforcement of the scheduled visit.
  - e. The youth or the youth's family shall be responsible for covering costs of the visit.
3. "Work Furlough" is a term designating a short-term leave, up to ten days, granted for the purpose of seeking employment. All furloughs and extensions must be approved by the Superintendent of a secure facility and the YCC Bureau Chief.
  4. "Secure Youth Correctional Facility Emergency Capacity Release" is a release granted by the Superintendent of a secure youth correctional facility as result of the population exceeding the rated capacity of the facility.
  5. "Release" is the formal transfer of a youth from a secure youth correctional facility to the supervision of the YCC Bureau occurring after the youth has satisfactorily completed program requirements. The Division strives to release youth at least one week prior to discharge in order to facilitate integration into the community.
  6. "Hardship Release" is the formal transfer of a youth from a secure youth correctional facility to the supervision of the YCC Bureau occurring after the releasing authority has authorized the request of staff to release a youth in advance of the anticipated date of release due to a hardship.

**C. Youth Services Division Notification**

1. The Superintendent of a secure youth correctional facility is designated as the release authority for youth under their custody. Youth shall not be granted a release or furlough from a secure youth correctional facility without the proper notification of the JPO. In the case of a youth being released to a youth transition center, notification shall be made to the center's director who shall assume parole supervision responsibilities. Any dispute between the Superintendent and the YCC Bureau Chief shall be referred to the Division Administrator who shall be the final decision authority. Any youth being considered for release from a secure youth correctional facility shall be screened by the facility to ensure compliance with established length of stay guidelines and release policies and procedures (refer to [YCC 60-1, Case Management Overview](#); [YCC 60-2, Field Investigation Request](#); and [YCC 60-3, Juvenile Parole Agreement](#)).
2. In the case of release, the committing Youth Court Judge shall be advised of the placement when the court order stipulates. Written acknowledgment from the JPO is required for all releases and furloughs except those categorized as "secure youth correctional facility emergency releases."

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3. In the case of a secure youth correctional facility emergency capacity release, arrangements and notification may be made via telephone by the Superintendent or designee to the appropriate JPO at least 48 hours prior to the release of the youth. The facility shall have an established policy which prescribes the manner in which youth are selected for release.

**D. Discharge**

1. Discharge of a youth may be considered under the following circumstances:
  - a. Expiration of a Youth Court Order.
  - b. Youth reaches the age of 18 years.
  - c. When a youth has met the conditions of the parole agreement and has received maximum benefit from all services available through the Department.
  - d. The youth has been convicted as an adult.
2. Discharge Procedure:
  - a. YCC Bureau will develop and maintain procedural guidelines for youth discharging from parole status.
  - b. Any youth on parole status or in a secure youth correctional facility shall automatically be considered discharged from Department jurisdiction at the time of expiration of the court order or the time that the youth attains the age of 18 years.
  - c. Victim notification requirements shall be followed.

**V. CLOSING:**

Questions concerning this policy shall be directed to the Youth Community Corrections Bureau Chief.

**VI. REFERENCES:**

[2-15-112 \(1\)\(b\), MCA](#)      [Duties and Powers of Department Heads](#)  
[41-5-1512, MCA](#)      [Disposition of Youth in Need of Intervention or Youth who Violate Consent Adjustments.](#)

**VII. ATTACHMENTS:**

None